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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,730

01/05/2004

Sean M. Delaney

4036P2741

1379

23504 7590 02/19/2008  
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EXAMINER

FERTIG, BRIAN E

ART UNIT

PAPER NUMBER

4124

MAIL DATE

DELIVERY MODE

02/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/750,730	<b>Applicant(s)</b> DELANEY, SEAN M.	
	<b>Examiner</b> Brian Fertig	<b>Art Unit</b> 4124	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 1/5/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

#### With respect to claims 1-21

The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant's invention would require one skilled in the art to perform an undue amount of experimentation to be reasonably assured of obtaining the results of converting a renter into a property owner and providing returns to an investor. Namely, (1) finding a renter capable of obtaining the necessary financing and not defaulting and (2) finding a particular property that will appreciate over the life of the investor's investment are both limitations which are mired in uncertainty and require substantial experimentation on the part of one of ordinary skill in the art. In fact, *a priori*, one of ordinary skill cannot be assured of having located suitable renters or property.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 3742

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 9, 14, and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With respect to claims 9, 14, and 15

The term "at least about" in claim 9, 14, and 15 is a relative term which renders the claim indefinite. The term "at least about" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. In addition, the "at least about" language, combined with the extendable time limitation of claim 9 fails to effect any definite period of time over which the phases will run.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

With respect to claims 1-21

Claims 1-21 are directed toward methods for converting a renter into a property owner. In spite of being directed toward methods, the claims consist of no more than abstract ideas which fall into the judicially

defined exception to 35 U.S.C. 101. For the purposes of examination, the guidelines set out in the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility published in the Official Gazette 22 November 2005 will be used. Briefly, these guidelines cite case law that require a claimed invention that falls within a judicial exception to demonstrate some practical application to be allowable subject matter under 35 U.S.C. 101. A practical application can be demonstrated if the claimed invention physically transforms an article or physical object to a different state or thing or if the claimed invention produces a useful, concrete, and tangible result.

These methods fail to perform any physical transformation to an article or physical object to arrive at a different state or thing. The only article or physical object involved in the transaction is the property. The property is in no way physically transformed by the method; ownership is merely transferred. Further, the methods fail to provide a useful, concrete, and tangible result. Applicant's invention is directed toward a real estate transaction which, by its nature, involves risk. These risks are not hedged by the invention and remain integral to the operation of the method. Creditors may default and market values may fall. In either of these events, neither the result of conversion of a renter to a property owner nor the return to the investor is assured to the degree necessary to establish a concrete result. As such, applicant's invention fails to perform a practical application of the judicially excepted abstract idea.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 12, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by *Beating the High Cost of Real Estate* by Betty Lee, Canadian Business, Sep 1990, Vol 63, issue 9, p 115 (Lee).

With respect to claim 1

Lee teaches:

A method for converting a renter into a property owner comprising the steps of:

finding an investor wishing to invest in at least one property (i.e. investor, see par 6 and 7) that can be rented (i.e. house, see par 6 and 7);

finding said renter wishing to rent said property (i.e. prospective home buyer, see par 6 and 7); and

obtaining the agreement of said investor to purchase said property selected by said renter (inherent as a part of the limited partnership investor has entered, see par 6 and 7).

Art Unit: 3742

With respect to claim 2

Lee teaches:

A method for converting a renter into a property owner according to Claim 1 (see rejection of claim 1 above) wherein a third party finds said investor and said third party finds said renter (i.e. property management companies attracting renters by offering rent-to-own homes and investors by providing equity participation plan investment opportunities, see par 6 or vendor, see par 7).

With respect to claim 12

Lee teaches:

A method for converting a renter into a property owner with the assistance of an investor comprising the steps of:

locating said investor wishing to invest in at least one property that can be rented using a third party (i.e. property management companies attracting investors by providing equity participation plan investment opportunities, see par 6 or vendor, see par 7);

locating said renter wishing to rent said property using said third party (i.e. property management companies attracting renters by offering rent-to-own homes, see par 6 or vendor, see par 7);

using the guidance of said third party by said renter to select said property (i.e. property management companies

guide renters to select from the subset of homes they manage, see par 6 or vendor, see par 7); and

obtaining the agreement of said investor by said third party for purchasing said property selected by said renter (inherent as a part of the limited partnership investor has entered, see par 6 and 7).

With respect to claim 18

Lee teaches:

A method initiated by a third party for converting a renter into a property owner in co-operation with an investor comprising the steps of:

locating said investor wishing to invest in at least one property that can be rented using said third party (i.e. property management companies attracting investors by providing equity participation plan investment opportunities, see par 6 or vendor, see par 7);

locating said renter wishing to rent said property using said third party (i.e. property management companies guide renters to select from the subset of homes they manage, see par 6 or vendor, see par 7); and

obtaining the agreement of said investor to purchase said property selected by said renter using said third party renter



Art Unit: 3742

(inherent as a part of the limited partnership investor has entered,  
see par 6 and 7).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3-11, 13-17, 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of House Selling for Dummies by Eric Tyson, IDG Book World Wide, 1999 (Tyson) pg 43, 50-51, 328.

With respect to claim 3

Lee teaches:

The method for converting a renter into a property owner according to Claim 1 (see rejection of claim 1 above) further comprising the steps of:

receiving rent for said investor from said renter during a phase one period of time (i.e. rent payments, see par 6 and 7);

providing a sufficient second mortgage by said investor so that said renter requires no down payment to purchase said property selected by said renter achieving an

increase in the value of said property for said investor selected by said renter when said renter obtains said new first mortgage ("Down payment on the property is provided by an investor in return for a prorated share of any appreciation at the end of the contract term," see par 6).

Lee does not teach:

obtaining a new first mortgage for said renter to purchase said property selected by said renter from said investor for a current market value at the beginning of a phase two period of time.

Tyson teaches:

obtaining a new first mortgage for said renter to purchase said property selected by said renter from said investor for a current market value at the beginning of a phase two period of time (note that a first mortgage is a very common method by which to purchase a home, see pg 50-51) in order to facilitate the transfer of ownership in property (see Publication Title).

It would have been obvious to one skilled in the art at the time of applicant's invention to provide Lee's rent-to-own arrangement with the steps including obtaining a new first mortgage for said renter to purchase said property selected by said renter from said investor for a current market value at the beginning of a phase two period of time and the

Art Unit: 3742

teachings with respect to PMI requirements, rolling and investment, and refinancing as taught by Tyson, in order to facilitate the transfer of ownership in property (see Publication Title).

With respect to claim 4

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 3 (see rejection of claim 3 above) further comprising the steps of:

obtaining a further new first mortgage for said renter thereby discharging said sufficient second mortgage provided by said investor (this limitation describes refinancing, see Tyson pg 328); and

gaining a portion of a new current market value of said property selected by said renter for said investor at the end of said phase two period of time (this limitation describes a Shared Appreciateon Mortgage term which is well known in the industry)

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 5

Lee as modified by Tyson teaches:

Art Unit: 3742

The method for converting a renter into a property owner according to Claim 4 (see rejection of claim 4 above) further comprising the steps of:

finding an other renter to purchase an other property selected by said other renter during said phase two period of time;

receiving rent for said investor from said other renter during an other phase one period of time;

obtaining an other new first mortgage for said other renter to purchase said other property selected by said other renter from said investor for an other current market value at the beginning of an other phase two period of time;

providing an other sufficient second mortgage by said investor so that said other renter requires no down payment to purchase said other property selected by said other renter to provide said investor with increased income potential; and

achieving an increase in the value of said other property selected by said other renter for said investor during said other phase one period of time (Collectively, these limitations describe 'rolling' the investment, see Tyson p 43).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 6

Art Unit: 3742

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 5 further comprising the steps of:

obtaining an other further new first mortgage for said other renter thereby discharging said an other sufficient second mortgage provided by said investor (this limitation describes refinancing, see Tyson pg 328); and

gaining a portion of an other new current market value of said other property selected by said other renter for said investor at the end of said other phase two period of time (this limitation describes a Shared Appreciateon Mortgage term which is well known in the industry). (Collectively, these limitations describe 'rolling' the investment, see Tyson p 43)

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 7

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 2 (see rejection of claim 2 above) further comprising the steps of:

selecting said property by said renter with the guidance of said third party, provided said property meets the investment needs of said investor (i.e. property

Art Unit: 3742

management companies attracting investors by providing equity participation plan investment opportunities, see par 6 or vendor, see Lee par 7);

making an initial investment by said investor to purchase said property selected by said renter (inherent as a part of the investment security investor has purchased, see Lee par 6 and 7); and

entering a rental agreement between said renter and said investor ("rent to own allows a prospective home buyer . . . with paucity of available capital to move into a house and begin building equity", see Lee par 6 note a paucity of available capital implies poor credit that will be improved over time with a build up of equity).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 8

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 3 (see rejection of claim 3 above) further comprising the step of:

qualifying the renter during the phase one period of time for a loan to purchase said property selected by said renter at the beginning of said phase two period of time for

Art Unit: 3742

said current market value (it is inherent that a purchaser must qualify for loan (i.e. mortgage) before phase 2, if they are to participate in the mortgage of claim 3 which takes place at the beginning of phase 2).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 9

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 3 (see rejection of claim 3 above) wherein said phase one period of time is at least about two years and said phase two period of time is at least about two years and said phase one period of time may be extended so as to permit said renter to build up sufficient capital reserves to improve the credit worthiness of said renter ("rent to own allows a prospective home buyer . . . with paucity of available capital to move into a house and begin building equity", see Lee par 6 note a paucity of available capital implies poor credit that will be improved over time with a build up of equity).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 10

Lee as modified by Tyson teaches:

Art Unit: 3742

The method for converting a renter into a property owner according to Claim 3 (see rejection of claim 3 above) wherein said sufficient second mortgage provided by said investor at the beginning of said phase two period of time is at least 20% of said current market value of said property selected by said renter (Note that Tyson teaches that lenders require private mortgage insurance (PMI) for mortgages that are not accompanied by a 20% down payment. See pg 327 As such, the selection of 20% is an obvious choice for funding of the down payment so as to avoid the additional PMI expense).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 11

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner according to Claim 10 (see rejection of claim 10 above) wherein when said renter obtaining a further new first mortgage to discharge said at least 20% second mortgage provided by said investor, said investor gaining at least 20% of a new current market value of said property selected by said renter at the end of said phase two period of time (Note, applicant recites no particular utility from the selection of a 20% return as compared to any other, nor would the selection of another return level produce unexpected results. As such, this



Art Unit: 3742

limitation is treated as an obvious design choice for funding of the down payment so as to avoid the additional PMI expense).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 13

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner with the assistance of an investor according to Claim 12 (see rejection of claim 12 above) further comprising the steps of:

receiving rent for said investor from said renter during at least about a first two year period of time renter ("rent to own allows a prospective home buyer . . . with paucity of available capital to move into a house", see Lee par 6);

obtaining a new first mortgage for said renter to purchase said property selected by said renter from said investor for a market value at the end of about said first two year period of time (note that a first mortgage is a very common method by which to purchase a home, see Tyson pg 50-51);

providing at least a 20% second mortgage by said investor so that said renter requires no down payment to purchase said property selected by said renter ("Down payment on the property is provided by an investor in return

for a prorated share of any appreciation at the end of the contract term,” see Lee par 6 Note: Tyson teaches that lenders require private mortgage insurance (PMI) for mortgages that are not accompanied by a 20% down payment. See pg 327 As such, the selection of 20% is an obvious choice for funding of the down payment so as to avoid the additional PMI expense); and

achieving an increase for said investor in the value of said property selected by said renter when said renter obtains said new first mortgage (“Down payment on the property is provided by an investor in return for a prorated share of any appreciation at the end of the contract term,” see par 6).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 14

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner with the assistance of an investor according to Claim 13 (see rejection of claim 13 above) further comprising the steps of:

obtaining a further new first mortgage for said renter to discharge said 20% second mortgage provided by said investor; and gaining a portion of a new market value of said

Art Unit: 3742

property selected by said renter for said investor at the end of about at least a second two year period of time (this limitation describes refinancing, see Tyson pg 328).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 15

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner with the assistance of an investor according to Claim 14 (see rejection of claim 14 above) wherein said investor gaining at least 20% of said new current market value of said property selected by said renter at the end of about at least said second two year period of time (Note, applicant recites no particular utility from the selection of a 20% return as compared to any other, nor would the selection of another return level produce unexpected results. As such, this limitation is treated as an obvious design choice).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 16

Lee as modified by Tyson teaches:

The method for converting a renter into a property owner with the assistance of an investor according to Claim 13 (see rejection of claim 13 above) further comprising the steps of:

Art Unit: 3742

finding an other renter to purchase an other property selected by said other renter in co-operation with said third party during about at least said second two year period of time; receiving rent for said investor from said other renter during a third about at least two year period of time;

obtaining an other new first mortgage for said other renter to purchase said other property selected by said other renter for a market value at the beginning of a fourth about at least a two year period of time;

providing an other at least 20% second mortgage by said investor so that said other renter requires no down payment to purchase said other property selected by said other renter to provide said investor with increased income potential; and achieving an increase in the value of said other property selected by said other renter by said investor during said third about at least two year period of time

(Collectively, these limitations describe 'rolling' the investment treated above, see Tyson p 43).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 17

Lee as modified by Tyson teaches:

Art Unit: 3742

The method for converting a renter into a property owner with the assistance of an investor according to Claim 16 (see rejection of claim 16 above) further comprising the steps of:

obtaining an other further new first mortgage for said other renter thereby discharging said 20% second mortgage provided by said investor (this limitation describes 'refinancing', see Tyson pg 328); and

gaining a portion of an other new market value of said other property selected by said other renter for said investor at the end of about at least said fourth two year period of time (this limitation describes a Shared Appreciateon Mortgage which is well known in the industry). (Collectively, these limitations describe 'rolling' the investment treated above, see Tyson p 43)

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 19

Lee as modified by Tyson teaches:

The method initiated by a third party for converting a renter into a property owner in co-operation with an investor according to Claim 18 (see rejection of claim 18 above) further comprising the steps of:

receiving rent for said investor from said renter during a phase one period of time ("rent to own allows a

prospective home buyer . . . with paucity of available capital to move into a house”, see Lee par 6);

obtaining a new first mortgage by said renter to purchase said property selected by said renter from said investor for a current market value at the beginning of a phase two period of time (note that a first mortgage is a very common method by which to purchase a home, see Tyson pg 50-51);

providing a sufficient second mortgage by said investor so that said renter requires no down payment to purchase said property selected by said renter (“Down payment on the property is provided by an investor in return for a prorated share of any appreciation at the end of the contract term,” see par 6);

achieving an increase in the value of said property selected by said renter for said investor when said renter obtains said new first mortgage mortgage (“Down payment on the property is provided by an investor in return for a prorated share of any appreciation at the end of the contract term,” see par 6);

obtaining a further new first mortgage for said renter thereby discharging said sufficient second mortgage

Art Unit: 3742

provided by said investor (this limitation describes

'refinancing', see Tyson pg 328); and

gaining a portion of a new current market value of  
said property selected by said renter for said investor at the  
end of said phase two period of time (this limitation  
describes a Shared Appreciateon Mortgage which is well  
known in the industry).

(see rationale supporting obviousness and motivation to combine of claim  
3 above)

With respect to claim 20

Lee as modified by Tyson teaches:

The method initiated by a third party for converting a renter into a  
property owner in co-operation with an investor according to Claim  
19 (see rejection of claim 19 above) further comprising the steps of:

finding an other renter to purchase an other property  
selected by said other renter using said third party during  
said phase two period of time;

receiving rent for said investor from said other renter  
during an other phase one period of time;

obtaining an other new first mortgage by said other  
renter to purchase said other property selected by said other  
renter for an other current market value at the beginning of  
an other phase two period of time;

providing an other sufficient second mortgage by said investor so that said other renter requires no down payment to purchase said other property selected by said other renter to provide said investor with increased income potential; and achieving an increase in the value of said other property selected by said other renter for said investor during said other phase one period of time (Collectively, these limitations describe 'rolling' the investment treated above, see Tyson p 43).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

With respect to claim 21

Lee as modified by Tyson teaches:

The method initiated by a third party for converting a renter into a property owner in co-operation with an investor according to Claim 20 (see rejection of claim 20 above) further comprising the steps of:

obtaining an other further new first mortgage for said other renter thereby discharging said an other sufficient second mortgage provided by said investor (this limitation describe 'refinancing', see Tyson p 328); and

gaining a portion of an other new current market value of said other property selected by said other renter for said investor at the end of said other phase two period of time



Art Unit: 3742

(this limitations describes a Shared Appreciation Mortgage which is well known in the art).

(see rationale supporting obviousness and motivation to combine of claim 3 above)

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. *Developer proposes rent-to-own housing* by Alex Leary, St. Petersburg Times, April 18, 2003, pg 1, *How 'Equity Leases' Become a Track to Ownership* by Alan Oser, New York Times, March 2<sup>nd</sup>, 1997 pg 9.5 (teaching the use of Equity Lease financing in New York), *M&T Challenged to Increase Inner City Home Loans* by Chet Bridger, Buffalo News March 11, 2003, pg E3 (teaching the use of rent-to-own financing as a means to improve a buyer's credit).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Fertig whose telephone number is (571) 270-5131. The examiner can normally be reached on Monday - Friday 8:30am to 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Bomberg can be reached on (571) 272-4922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3742

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

-bf

/Thor S. Campbell/

Primary Examiner, Art Unit 3742